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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/932,345	08/17/2001	David Tinsley		4210
31688	7590	09/22/2004		
TRAN & ASSOCIATES 6768 MEADOW VISTA CT. SAN JOSE, CA 95135			EXAMINER BARQADLE, YASIN M	
			ART UNIT 2153	PAPER NUMBER

DATE MAILED: 09/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<p align="center">Office Action Summary</p>	<p>Application No.</p> <p align="center">09/932,345</p>	<p>Applicant(s)</p> <p align="center">TINSLEY ET AL.</p>	
	<p>Examiner</p> <p align="center">Yasin M Barqadle</p>	<p>Art Unit</p> <p align="center">2153</p>	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 August 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| <p>1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)</p> <p>2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</p> <p>3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)</p> <p> Paper No(s)/Mail Date <u>8/11/03</u></p> | <p>4) <input type="checkbox"/> Interview Summary (PTO-413)</p> <p> Paper No(s)/Mail Date. _____</p> <p>5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)</p> <p>6) <input type="checkbox"/> Other: _____</p> |
|--|---|

DETAILED ACTION

1. Claims 1-16 are presented for examination.

Claim Objections

2. Claim number starting from claim 6 to 18 are objected to because of the following informalities: There are no claim 6 and 8, therefore, claims need to be renumbered and the chain of dependency be replaced. For purpose of examination claims are renumbered from 1 -16. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do

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not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Drosset et al USPN. (6662231).

As per claim 1, Drosset et al teach a method for presenting customized content to a viewer (abstract, fig. 1), comprising:

archiving the viewer's behavior on a server coupled to a wide area network (network 70, fig. 1) and collecting the viewer's preferences over time (user select and user's taste and interests are tracked col. 9, 27-40 and col. 12, 19-23];

receiving a request for a selected audio or video content [audio request message is received by the server col.5, lines 40-43];

dynamically generating customized audio or video content according to the viewer's preferences [based on user preferences play-list of audio content is automatically generated and suggested to a user col. 12, 39 to col. 13 line 6];

merging the dynamically generated customized audio or video content with the selected audio or video content [col. 12, 19 to col. 13 line 6]; and

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displaying the customized audio or video content to the viewer [col. 7, lines 31-49 and col. 8, lines 61-67].

As per claim 2, Drosset et al teach the method of claim 2, further comprising registering content with the server [user registers with the server col. 11, lines 50-67].

As per claim 3, Drosset et al teach the method of claim 2, further comprising annotating the content with scene information [col. 12, lines 19-38 and col. 16, lines 17-39].

As per claim 4, Drosset et al teach the method of claim 3, wherein the viewer's behavior is correlated with the scene information [col. 19, lines 11-41].

As per claim 5, Drosset et al teach the method of claim 3, further comprising correlating additional audio or video content with an annotation [col. 12, lines 19-38 and col. 16, lines 17-39].

As per claim 6, Drosset et al teach the method of claim 3, further comprising correlating additional audio or video content with scene information col. 12, lines 19-38 and col. 16, lines 17-39].

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As per claim 7, Drosset et al teach the method of claim 2, wherein the scene information includes one or more of the following: background music, location, set props, and objects corresponding to brand names [col. 19, lines 1-41].

As per claim 8, Drosset et al teach the method of claim 2, further comprising adding customized advertisement to the customized video content [col. 14, lines 17-34 and col. 17, lines 50-66].

As per claim 9, Drosset et al teach the method of claim 1, further comprising generating a presentation context descriptor and a semantic descriptor [col. 13, lines 63 to col. 14, lines 24 and col. 20, lines 40-66, also col. 4, lines 53-65].

As per claim 10, Drosset et al teach the method of claim 11, further comprising associating the descriptors using a semantic presentation map that ties the descriptors with a relative weight [col. 13, 63 to col. 14, line 24].

As per claim 11, Drosset et al teach the method of claim 12, further comprising scoring the prominence of attributes within content [col. 12, lines 39-57 and col. 13, lines 63 to col. 14, line 16].

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As per claim 12, Drosset et al teach the method of claim 13, further comprising expressing a scoring formula by a database agent [col. 12, lines 39-57].

As per claim 13, Drosset et al teach the method of claim 1, further comprising providing interactive community participation [col. 13, lines 11-23].

As per claim 14, Drosset et al teach the method of claim 1, comprising generating an acyclic tree of semantic descriptors [col. 4, lines 53-65 and col. 20, lines 40-66].

As per claim 15, Drosset et al teach the method of claim 16, further comprising applying a transitive association from semantic definitions to specific semantics [col. 16, lines 40-65].

As per claim 16, Drosset et al teach the method of claim 17, wherein the definitions includes more general definitions to score weighted attributes [col. 13, lines 63 to col. 14, lines 24 and col. 20, lines 40-66].

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Conclusion

The prior made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yasin Bargadle whose telephone number is 703-305-5971. The examiner can normally be reached on 9:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Burgess can be reached on 703-305-4792. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Yasin Bargadle

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FRANTZ B. JEAN
PRIMARY EXAMINER